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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,051	02/17/2004	Edward Flaherty	ALT-195 CON (A612 C1)	8388
36981	7590	09/28/2006	EXAMINER	
FISH & NEAVE IP GROUP ROPES & GRAY LLP 1251 AVENUE OF THE AMERICAS FL C3 NEW YORK, NY 10020-1105			LEVIN, NAUM B	
			ART UNIT	PAPER NUMBER
			2825	

DATE MAILED: 09/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. This office action is in response to application 10/781,051 and Amendment filed on 07/19/2006. Claims 1, 6- 9, 17, 26 and 35 have been amended. Claims 1-40 remain pending in the application.

Election/Restrictions

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-5, 9-25 and 35-40 (Group 1), drawn to a method of configuring an integrated circuit chip that includes programmable logic circuitry, said method comprising transferring a data from an off-chip source to said integrated circuit chip using a connection to reprogram said programmable logic circuitry to function as other than communications port circuitry, classified in class 716, subclass 16.

II. Claims 6-8 and 26-34 (Group 2), drawn to a method of configuring an integrated circuit chip that includes programmable logic circuitry, said method comprising programming Ethernet media access controller (MAC) circuitry with a transferred first data; establishing with an programmed by a first data Ethernet MAC circuitry a second connection between said integrated circuit chip and a second off-chip source of second data; and transferring said second data from said second off-chip source to said integrated circuit chip using said second connection to program said programmable logic circuitry for further operations, classified in class 716, subclass 16.

Inventions 1-5, 9-25 and 35-40 (Group 1) and 6-8 and 26-34 (Group 2) are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of

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the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed, because Group 2 includes two off-chip sources for configuring the integrated circuit chip. The subcombination has separate utilities such as: programming Ethernet media access controller (MAC) circuitry with a first data; establishing with Ethernet MAC circuitry **a second connection** between said integrated circuit chip and **a second off-chip source of second data**; and transferring said **second data from said second off-chip source** to said integrated circuit chip using said **second connection** to program said programmable logic circuitry for further operation.

3. Because these inventions are distinct for the reasons given above, restriction for examination purposes as indicated is proper.

4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naum B. Levin whose telephone number is 571-272-1898. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Chiang can be reached on 571-272-7483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Alfredo
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Primary Examiner
09/22/06